



SCHOOL OF LAW

THE UNIVERSITY OF TEXAS AT AUSTIN

Environmental Clinic • 727 East Dean Keeton Street • Austin, Texas 78705

Phone: (512) 232-2454 • Fax: (512) 232-2311

April 9, 2018

Records, FOIA, and Privacy Branch
Office of Environmental Information
Environmental Protection Agency
1200 Pennsylvania Avenue NW (2822T)
Washington, D.C. 20460
bq.foia@epa.gov

EPA Region 6 Main Office
Environmental Protection Agency
1445 Ross Avenue, Suite 1200
Dallas, TX 75202
bq.foia@epa.gov

Re: Freedom of Information Act Request — Valero Port Arthur Refinery Semiannual Deviation Reports and Annual Compliance Certifications

Dear Freedom of Information Officer:

Pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552 et seq., and the implementing regulations of the Environmental Protection Agency (EPA), 40 C.F.R. Part 2, I am submitting the following request for records on behalf of the Environmental Law Clinic at The University of Texas School of Law.

Requested Records

The Clinic requests the Semiannual Deviation Reports for Title V Operating Permits filed by the Valero Port Arthur Refinery in Port Arthur, TX. These semiannual reports are required by the Texas Federal Operating Permit Rules as codified in 30 TAC § 122.145. We are requesting all semiannual deviation reports from the last five years (since 2013) that were submitted for each of these federal operating permits:

- 2227
- 2228
- 2229
- 3423
- 1498



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The Clinic also requests the annual Certifications of Compliance for each of the above federal operating permits going back to 2013. Valero must certify their compliance with their federal operating permits yearly pursuant to 30 TAC § 122.146.

To the extent practicable, please provide records electronically. If EPA maintains that portions of a requested record are exempt from disclosure, please redact the exempt portions and provide the remainder of the record.

Request for Fee Waiver

EPA regulations provide that “educational or scientific institutions, whose purpose is scholarly, noncommercial research, will be charged only for the cost of record duplication, except that the first 100 pages of duplication will be furnished at no charge.” 40 C.F.R. § 2.107(c)(ii). The Clinic qualifies under this standard for a fee waiver. The University of Texas School of Law is an educational institution, and the Clinic requests these records for educational purposes and will realize no commercial benefit from the release of the requested records. Please contact me if copying fees are expected to exceed \$100.

Sincerely,

John P. Bedecarre
Clinic Student
Environmental Clinic

Kelly L. Haragan
Clinical Professor and Director
Environmental Clinic